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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 DARRELL LEE SMITH,

No. 2:04-cv-0702-MCE-EFB-P

12 Plaintiff,

13 v.

ORDER

14 KING, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief
18 under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to
19 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

20 On February 2, 2007, the magistrate judge filed findings and recommendations herein
21 which were served on all parties and which contained notice to all parties that any objections to
22 the findings and recommendations were to be filed within fourteen days. Plaintiff has filed
23 objections to the findings and recommendations.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304,
25 this court has conducted a de novo review of this case.


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1 Having carefully reviewed the entire file, the court finds the findings and recommendations to be
2 supported by the record and by proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed February 2, 2007, are adopted in full;
- 5 2. Plaintiff's March 28, 2006, motion for summary judgment is denied;
- 6 3. Defendant King's March 17, 2006, motion for summary judgment is granted;
- 7 4. Judgment is entered in favor of defendant King; and
- 8 5. The Clerk is directed to close the case.

9 Dated: March 8, 2007

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11 MORRISON C. ENGLAND, JR.
12 UNITED STATES DISTRICT JUDGE
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